

DECLARATION AND POWER OF ATTORNEY - USA PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled GENE TRANSFER VECTOR SYSTEM DERIVED FROM COXSACKIE VIRUSES the specification of which was described and claimed in PCT International Application No. EP00/07768 filed on August 10, 2000.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56;

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent, design or inventor's certificate or any PCT international application(s) listed below and have also identified below any foreign application(s) for patent, design or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed for the same subject matter having a filing date before that of the application(s) of which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

COUNTRY (OR INDICATE IF PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 U.S.C. § 119
German	19939095.9	18, 08, 1999	• YES NO o

POWER OF ATTORNEY: I hereby appoint the registrants of Knobbe, Martens, Olson & Bear, LLP, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone (949) 760-0404, Customer No. 20,995.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Jan-Heiner KÜPPER

Inventor's signature [Signature] Day 11 Month June Year 2002

Residence (city and country): Kusterdingen, Germany DEX

Citizenship: German

Post Office Address: Bachstraße 11, D-72127 Kusterdingen, Germany

Page 2

Attorney's Docket No. WWELL60.001APC

Full name of second inventor: Ralph MEYERInventor's signature [Signature] Day 11 Month June Year 2002Residence (city and country): Waldböckelheim, Germany DEX

Citizenship: German

Post Office Address: Rosengarten 7, D-55596 Waldböckelheim, Germany

Full name of third inventor: Mirella MEYER-FICCAInventor's signature [Signature] Day 11 Month June Year 2002Residence (city and country): Waldböckelheim, Germany DEX

Citizenship: German

Post Office Address: Rosengarten 7, D-55596 Waldböckelheim, Germany

Full name of fourth inventor: Reinhard KANDOLFInventor's signature [Signature] Day 11 Month June Year 2002Residence (city and country): Hechingen, Germany DEX

Citizenship: German

Post Office Address: Untere Dornäcker 49, D-72379 Hechingen, Germany

Send Correspondence To:
KNOBBE, MARTENS, OLSON & BEAR, LLP
Customer No. 20,995

O:\DOCS\WGX\WGX-1285.DOC.vb
040402

BEST AVAILABLE COPY

**ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION
AND
REVOCATION AND POWER OF ATTORNEY**

To the Commissioner of Patents and Trademarks:

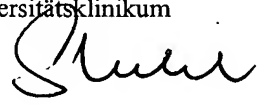
The undersigned is empowered to act on behalf of the assignee indicated below (the "Assignee"). The original assignment of the U.S. Application No. 10/069,382, filed February 19, 2002, for Letters Patent for the invention in **GENE TRANSFER VECTOR SYSTEM DERIVED FROM COXSACKIE VIRUSES** from the inventors to the Assignee is being submitted herewith for recordation by the Assignment Branch. A true copy of this Assignment is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee. I have reviewed this Assignment, and to the best of the Assignee's knowledge and belief, the Assignee is the owner of the entire right, title, and interest in the above-referenced application.

I declare that all statements made herein of my own knowledge are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone (949) 760-0404, **Customer No. 20,995**, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

Assignee: Eberhard-Karls-Universität Tübingen
Universitätsklinikum

By:  _____

Printed Name: Hans-Rüdiger Strehl

Title: Administrative Director

Address: Geissweg 3, D-72076 Tübingen
GERMANY

Dated: June 14, 2002

ASSIGNMENT

WHEREAS, I, Jan-Heiner Kupper, a German citizen, residing at Bachstraße 11, D-72127 Kusterdingen, Germany, Ralph Meyer, a German citizen, residing at Rosengarten 7, D-55596 Waldböckelheim, Germany, Mirella Meyer-Ficca, a German citizen, residing at Rosengarten 7, D-55596 Waldböckelheim, Germany, and Reinhard Kandolf, a German citizen, residing at Untere Dornäcker 49, D-72379 Hechingen, Germany, hereinafter referred to as Assignor (collectively if more than one inventor is listed above), have invented certain new and useful improvements in GENE TRANSFER VECTOR SYSTEM DERIVED FROM COXSACKIE VIRUSES, the specification of which was described and claimed in PCT International Application No. EP00/07768, filed on August 10, 2000.


AND WHEREAS, Eberhard-Karls-Universität Tübingen Universitätsklinikum with its principal place of business at Geissweg 3, D-72076 Tübingen, Germany (hereinafter referred to as Assignee) desires to acquire the entire right, title, and interest in and to the said improvements with respect to the United States of America, its territories and possessions.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby acknowledges that it has sold, assigned, transferred and set over, and by these presents does hereby sell, assign, transfer and set over, unto Assignee, its successors, legal representatives and assigns, the entire right, title, and interest in the United States of America, and its territories and possessions in, to and under said improvements, and any Patent Applications in the United States of America and all divisions, renewals and continuations thereof, and all Patents of the United States of America which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions; and Assignor hereby authorizes and requests the Commissioner of Patents of the United States of America to issue all Patents for said improvements to Assignee, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND ASSIGNOR HEREBY covenants and agrees that it will communicate to Assignee, its successors, legal representatives and assigns, any facts known to it respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid Assignee, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in the United States of America.

IN TESTIMONY WHEREOF, Assignor intending to be legally bound has hereunto affixed its signature.

This 11 day of June, 2002


Signature of Jan-Heiner KÜPPER

Witness: 

This 11 day of June, 2002


Signature of Ralph MEYER

Witness: 

This 11 day of June, 2002


Signature of Mirella MEYER-FICCA

Witness: 

This 11 day of June, 2002

Kandolf

Signature of Reinhard KANDOLF

Witness:

W. J. P.

O:\DOCS\MXG\MXG-1286.DOC:vb
040402